

FILED
CLERK OF COURT
JUL 14 2005
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER TINKHAM, ET AL,
PLAINTIFFS

V.

CIVIL ACTION # *05-10470 MLW*

DOREEN R. KELLY, ET AL.
DEFENDANTS

PLAINTIFFS MOTION FOR ENLARGEMENT OF TIME

Plaintiffs, Peter Tinkham and Juliet Alexander, Pro se, hereby move, pursuant to Fed.R.Civ.P, (6b) for an extension of the time specified in Fed.R.Civ.P. 4.1, within which to locate and serve the remaining three of the fifteen Defendants in this case, viz., Stephanie Thomas, Barbara Hawkes-Sullivan, and Erica Cohen, from July 11, 2005 until said Defendants have been served or until such time as the Court may think reasonable.

As grounds for their motion, Plaintiffs state:

They made extensive, diligent, good faith efforts to locate and verify the residential addresses of each of the fifteen Defendants in this case prior to arranging for service upon them.

When they were not able to locate seven of the fifteen Defendants, they consulted with a private investigator and constable to help them identify the residences of the seven remaining Defendants.

As soon as they obtained verified residential or employment addresses for all Defendants, in late May, they sent out Waivers of Service of Summons, certified priority mail, return receipt requested, and contracted with Constable McGrath to serve all Defendants who declined to return a signed waiver.

On July 11, 2005, Constable McGrath notified Plaintiffs of the numerous attempts he made, over the course of eleven days, to locate and serve the six Defendants, all DSS employees, who had declined to return their signed waivers; that several Defendants took affirmative steps to evade service; that despite this fact, he was able to effect service upon three Defendants, viz., Barney Keezell, Director of the DSS Fair Hearing Unit; Kenneth Pontes, Arlington DSS Area Director; and Erin Senges, DSS investigator.

Constable McGrath pledged to Plaintiffs that he would continue his diligent efforts to locate and serve the remaining three Defendants until he left for a scheduled business trip on July 14, 2005, and that he would resume his attempts, if necessary, upon his return on July 16, 2005.

Plaintiffs have expended over \$2,000.00 thus far in bringing twelve of the fifteen Defendants under the personal jurisdiction of the Court and are

prepared to augment that amount with respect to the remaining three Defendants.

For all of the foregoing reasons, Plaintiffs respectfully submit that their motion to enlarge the time to effect service should be granted.

A handwritten signature in cursive script that reads "Peter Tinkham".

Peter Tinkham

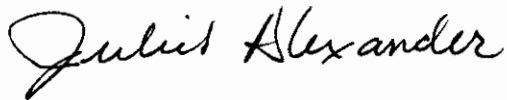
July 11, 2005

P.O. Box 1075

Easton, MA 02334

207-364-3964

207-585-2137

A handwritten signature in cursive script that reads "Juliet Alexander".

JULIET ALEXANDER